

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CHIMAYNE TALLEY,

Plaintiff,

v.

LIEUTENANT CARLA JOSEPH,

Defendant.


NO. 3:17-cv-00256

CHIEF JUDGE CRENSHAW

ORDER

On June 28, 2018, the Magistrate Judge entered an order (Docket No. 12) requiring Plaintiff to file with the Court a written explanation showing cause for his failure to serve the remaining Defendant, Lieutenant Carla Joseph, within 90 days after the filing of the Complaint, pursuant to Federal Rule of Civil Procedure 4(m). The order required Plaintiff to file such explanation within 14 days and warned that if Plaintiff failed to comply the Magistrate Judge would recommend dismissal of this action without prejudice. (*Id.*) Plaintiff did not comply with that order, and, indeed, it was returned as undeliverable, suggesting the Plaintiff has failed to update his address with the Court – a further sign that Plaintiff does not have an interest in proceeding with this litigation. The Magistrate Judge has therefore issued a Report and Recommendation (Doc. No. 14) recommending dismissal of this action. No objections have been filed. The Court agrees that this is the most appropriate course of action. Accordingly, the Report and Recommendation (Doc. No. 14) is **APPROVED AND ADOPTED** and this action is **DISMISSED WITHOUT PREJUDICE**. This is a final order. The clerk shall close the file.

IT IS SO ORDERED.



WAVERLY D CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE